

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
TUESDAY, September 6, 2016
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Zelinski, Benner, Nichols, Krautkramer, Collier, Keehan.

EXCUSED: Aldermen Spencer, Taylor.

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, FC Kloehn, ASD Steeno, CDD Buck, PRD Tungate, PHD McKenney, Clerk Galeazzi

D. PUBLIC HEARING

None

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

(five (5) minute time limit for each person)

Kathy Stahl, 225 Railroad Street, Menasha. Announced a sex offender information and education meeting with State Dept. of Corrections at Menasha Police Department on Sept. 12.

Sandra Dabill-Taylor, 525 Broad Street, Menasha. 1) Comments on O-12-16 Removal of Salvageable Non-Structural Materials from Vacated Buildings; 2) Comments on O-10-16 Restrictions on Parking.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. 2016 Activities of Fox Cities Regional Partnership—Manny Vazquez

Manny Vazquez from the Fox Cities Regional Partnership updated the Council on the activities of the Partnership, specifically their accomplishments and programs. General question and answer session occurred.

2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

- a. [Administration Committee, 8/15/2016](#)
- b. [Board of Public Works, 8/15/2016](#)
- c. Neenah-Menasha Sewerage Commission, [5/24/2016](#), [6/28/2016](#), [7/26/2016](#)
- d. [Personnel Committee, 8/15/2016](#)
- e. [Plan Commission, 8/16/2016](#)
- f. [Public Works/Parks Safety Committee, 7/26/2016](#)

Communications:

- g. [The Menasha Times, August 2016](#)
- h. [Wisconsin DOA Preliminary Estimate of January 1, 2016 Population](#)
- i. [2016 Equalized Values](#)
- j. [Rock the Block](#)
- k. [August 9 2016 Election Results](#)
- l. [Update on Bridge Construction and Street Construction Projects](#)
- m. [Menasha Celebrates Opening of First Outdoor Futsal Court in the Fox Cities](#)
- n. [Public Works Superintendent Position Memorandum](#)
- o. [Updated 2017 Budget Workshop Dates/Times](#)

Moved by Ald. Benner seconded by Ald. Keehan to receive Minutes and Communications a-o.
Motion carried on voice vote.

G. CONSENT AGENDA

(Prior to voting on the Consent Agenda, items on the Consent Agenda may be removed at the request of any Alderman and place immediately following action on the Consent Agenda. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)

Minutes to approve:

1. [Common Council, 8/15/2016](#)

Board of Public Works, 8/15/2016, Recommends the Approval of:

2. [Payment – Northeast Asphalt, Inc.; New Street Construction and Reconstruction, Concrete Curb and Gutter, Concrete Sidewalk, Asphalt Pavement within Parking Area, 8' Wide Asphalt Trail and Storm Sewer; Sixth Street, Ninth Street, Grandview Avenue, Manitowoc / Plank Road \(8' Wide Asphalt Trail\), Menasha Utilities Office \(Parking Area Paving\), Community Way; Contract Unit No. 2016-02; \\$187,115.36 \(Payment No. 1\)](#)

Personnel Committee, 8/15/16, Recommends the Approval of:

3. [Change the City's Table of Organization by deleting the .9 FTE Public Health Nurse Position and the .24 FTE Dental Hygienist Position, add the .58 FTE Public Health Nurse Position and the .56 FTE Dental Hygienist Position, and apply benefits to both positions according to City Policy.](#)

Plan Commission, 8/16/2016, Recommends the Approval of:

4. [Certified Survey Map—Lake Cottage Estates, West](#)
5. [Certified Survey Map—Carpenter Street](#)

Moved by Ald. Benner seconded by Ald. Keehan to approve Consent Agenda items 1-5.

Motion carried on roll call 6-0.

H. ITEMS REMOVED FROM THE CONSENT AGENDA

None.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 8/18/2016—9/1/2016 in the amount of \\$1,561,733.72](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve accounts payable and payroll.

Motion carried on roll call 6-0.

2. [Beverage Operators License Applications for the 2015-2017 licensing period.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve beverage operator's license applications as listed in memo dated 8/31/16.

Motion carried on roll call 6-0.

Police Dept. recommends denial of beverage operator's license application of Jordan Saunders as he does not meet the criteria under the Guidelines for Operator Licenses.

Unanimous consent to hear from Jordan Saunders

Mr. Saunders explained the circumstances on the two citations he received. He is waiting to go to court on the citation received in May 2016. He currently holds a valid operator's license from another municipality.

General discussion ensued on the citations and the possibility of a provisional license.

CA Captain and PC Styka stated a provisional license is good for 60 days and could be issued to Mr. Saunders.

Moved by Ald. Benner seconded by Ald. Zelinski to postpone action until the first meeting following the 60 days of the provisional license.

Motion carried on roll call 6-0.

3. [Development Agreement Between The City of Menasha and Woodland Developments, LLC](#)

CDD Buck explained that the performance measures of the Development Agreement between the City and Woodland Developments from September 2015 have not been met so the agreement has expired and is no longer in force. Staff recommends entering into a new Development Agreement that is essentially an amendment to the previous agreement.

General discussion ensued on the reason the performance measures were not met and the new terms of the development agreement.

Moved by Ald. Nichols seconded by Ald. Collier to approve Development Agreement between the City of Menasha and Woodland Developments, LLC.

Motion carried on roll call 6-0.

J. HELD OVER BUSINESS

None

K. ORDINANCES AND RESOLUTIONS

1. [O-11-16 An Ordinance Amending Title 7, Chapter 6 of Code of Ordinances – Restaurant and Retail Food Establishments \(as recommended by the Administration Committee\) \(Introduced by Mayor Merkes\)](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve O-11-16 An Ordinance Amending Title 7, Chapter 6 of Code of Ordinances – Restaurant and Retail Food Establishments (as recommended by the Administration Committee) (Introduced by Mayor Merkes).

Motion carried on roll call 6-0.

L. APPOINTMENTS

1. [Accept the Resignation of Samantha Zinth from the Landmarks Commission for the term of 12/07/2015 to 3/1/2017.](#)

2. [Mayor's Appointment of Kim Massey to the Landmarks Commission for the term of 9/7/2016-3/7/2017.](#)

Moved by Ald. Benner seconded by Ald. Keehan to accept resignation of Samantha Zinth from the Landmarks Commission and approve Mayor's appointment of Kim Massey to the Landmarks Commission for the term 9/7/2016-3/7/2017.

Motion carried on voice vote.

M. CLAIMS AGAINST THE CITY

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

(five (5) minute time limit for each person)

Mike Hagens, Woodland Developments LLC. Thanked Council for approving Development Agreement; there are a few issues to resolve in the area.

Sandra Dabill-Taylor, 525 Broad Street, Menasha. 1) Questions on items on accounts payable; 2) Presentation by Fox Cities Regional Partnership.

O. RECESS TO COMMITTEES

Moved by Ald. Benner seconded by Ald. Keehan to recess to committees at 7:25 p.m.

Motion carried on voice vote.

Reconvened at 8:29 p.m.

P. ACTION ITEMS

1. Water Street Trail Easement/95 Broad Street

CA Captain explained her conversation with the owner of 95 Broad Street. The owner indicated they are interested in selling the property but not for a few years. The asking price would be in the range of \$175,000. The property is currently assessed at \$125,000. If the Council would like to negotiate on a sale price it should be discussed in Closed Session.

General discussion ensued on the asking price of property, installing trail on waterside or street side before current easement expires, and discussing with property owner other options for easement.

Moved by Ald. Benner seconded by Ald. Keehan to authorize staff to explore time period extension of the easement within which to install trail, including widening trail at 95 Broad Street.

Motion carried on roll call 6-0.

2. Moved by Ald. Benner seconded by Ald. Nichols to Adjourn into Closed Session at 9:00 p.m.

Pursuant to Wis. Stats. §19.85(1)(e)&(g): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Intermunicipal Agreement between the City of Menasha and Town of Menasha dated April 13, 1999).

Motion carried on roll call 6-0.

3. May reconvene into Open Session to take action on items discussed in Closed Session.

No action.

Q. ADJOURNMENT

Moved by Ald. Benner seconded by Ald. Nichols to adjourn at 9:17 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk